

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

-against-

**GEL DIRECT TRUST,
GEL DIRECT, LLC,
JEFFREY K. GALVANI,
STUART A. JEFFERY**

Defendants.

Civ. Action No. 1:22-cv-09803

NOTICE OF MOTION TO DISMISS THE COMPLAINT

PLEASE TAKE NOTICE, that upon the annexed Memorandum of Law in Support, Declaration of Jeffrey Galvani and Exhibits dated February 3, 2023, and upon all prior pleadings, GEL Direct Trust, GEL Direct, LLC, Jeffrey K. Galvani and Stuart A. Jeffery, by their undersigned attorneys, will move this Court before The Honorable Jed S. Rakoff, U.S. District Court Judge for the Southern District of New York, in Courtroom 14B at 500 Pearl Street, New York, NY, 10007, on March 10, 2023, for an Order pursuant to Fed. R. Civ. P. 12(b)(6) dismissing the Plaintiff's Complaint as to any and all claims asserted by the Plaintiff against Defendants, and for such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's telephonic scheduling conference held January 24, 2023, responsive papers, if any, must be served on the undersigned attorneys on February 24, 2023. Reply, if any, will be served on March 3, 2023.

Dated: New York, New York
February 3, 2023

PULLP

By: /s/Jonathan Uretsky
Jonathan Uretsky
Anna Adelstein
111 Broadway, 8th Floor
New York, New York 10006
(212) 571-1164
uretsky@pullp.com
adelstein@pullp.com
*Attorneys for Defendants GEL Direct Trust
GEL Direct LLC, Jeffrey K. Galvani and
Stuart A. Jeffery*